

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:	§	
	§	
DEEP MARINE HOLDINGS, INC.,	§	CASE NO. 09-39323-H1-11
et. al.	§	(Jointly Administered)
	§	
Debtors.	§	CHAPTER 11
	§	
	§	

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DEEP MARINE 1, LLC	§	ADVERSARY NO. 10-03271
	§	
Plaintiff,	§	
	§	
THE DEEP MARINE LIQUIDATING	§	
TRUST (AS SUCCESSOR TO DEEP	§	
MARINE TECHNOLOGY	§	
INCORPORATED, DEEP MARINE	§	
HOLDINGS, INC., DEEP MARINE 1, LLC;	§	
DEEP MARINE 2, LLC, DEEP MARINE 3,	§	
LLC, AND DEEP MARINE 4, LLC);	§	
GENERAL ELECTRIC CAPITAL	§	
CORPORATION; NOBLE DENTON	§	
MARINE, INC.; BNA MARINE SERVICES,	§	
LLC; OTTO CANDIES, LLC; B&J	§	
MARTIN, INC.; NREC POWER SYSTEMS,	§	
INC.; CAPROCK COMMUNICATIONS,	§	
INC.; BOLLINGER SHIPYARDS TEXAS	§	
CITY, LP; BOLLINGER FOURCHON,	§	
LLC; ARAMARK US OFFSHORE	§	
SERVICES, LLC; AND CROSSMAR, INC.	§	
	§	
Defendants.	§	

**DEFENDANT CAPROCK COMMUNICATIONS, INC.'S REPLY TO CROSS-CLAIM**  
**FILED BY GENERAL ELECTRIC CAPITAL CORPORATION**

[RELATED TO DOCKET NO. 35]

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Defendant CAPROCK COMMUNICATIONS, INC. ("Caprock") files this Reply to the Cross-claim filed by General Electric Capital Corporation ("GE") (the "Cross-claim"), and respectfully would should this Court the following:

1. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 of the Cross-claim.

2. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 20 of the Cross-claim.

3. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 21 of the Cross-claim.

4. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 22 of the Cross-claim.

5. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 23 of the Cross-claim.

6. Caprock admits the factual allegations contained within Paragraph 24 of the Cross-claim.

7. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 25 of the Cross-claim.

8. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 of the Cross-claim.

9. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 27 of the Cross-claim.

10. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 28 of the Cross-claim.

11. Caprock admits the factual allegations contained within the first sentence of Paragraph 29 of the Cross-claim. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained within the second sentence of Paragraph 29 of the Cross-claim.

12. Caprock admits the factual allegations contained within Paragraph 30 of the Cross-claim.

13. Caprock admits the factual allegations contained within Paragraph 31 of the Cross-claim.

14. Caprock admits the factual allegations contained within Paragraph 32 of the Cross-claim.

15. Caprock admits the factual allegations contained within Paragraph 33 of the Cross-claim.

16. Caprock admits that GE's claim is classified under class C3 of the Plan. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the remaining factual allegations contained within Paragraph 34 of the Cross-claim.

17. Caprock admits the factual allegations contained within Paragraph 35 of the Cross-claim.

18. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 36 of the Cross-claim.

19. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 of the Cross-claim.

20. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 38 of the Cross-claim.

21. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 39 of the Cross-claim.

22. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 40 of the Cross-claim.

23. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 41 of the Cross-claim.

24. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 42 of the Cross-claim.

25. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 43 of the Cross-claim.

26. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 44 of the Cross-claim.

27. Paragraph 45 of the Cross-claim contains a legal conclusion which need not be answered.

28. Paragraph 46 of the Cross-claim incorporates by reference the factual allegations previously set forth in the Cross-claim. Caprock likewise incorporates by reference its responses to the factual allegations contained above.

29. Paragraph 47 of the Cross-claim contains a request for relief which need not to be answered.

30. Paragraph 48 of the Cross-claim contains a request for relief which need not to be answered.

31. Paragraph 49 of the Cross-claim incorporates by reference the factual allegations previously set forth in the Cross-claim. Caprock likewise incorporates by reference its responses to the factual allegations contained above.

32. Caprock admits the factual allegations contained within Paragraph 50 of the Cross-claim.

33. Caprock admits the factual allegations contained within Paragraph 51 of the Cross-claim.

34. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 52 of the Cross-claim.

35. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 53 of the Cross-claim.

36. Caprock presently lacks information or knowledge sufficient to form a belief as to the truth of the allegations contained in Paragraph 54 of the Cross-claim.

37. Paragraph 55 of the Cross-claim contains a request for relief which need not to be answered.

38. Paragraph 56 of the Cross-claim contains a request for relief which need not to be answered.

39. Paragraph 57 of the Cross-claim contains a request for relief which need not to be answered.

WHEREFORE, PREMISES CONSIDERED, Caprock Communications, Inc., one of the Defendants in the above numbered and styled cause, prays that (i) the Court determine the validity priority and amount of Caprock's lien on the proceeds; (ii) enter judgment in accordance

therewith requiring the proceeds to be distributed; and (iii) granting such other and further relief as is just and proper.

Respectfully submitted,

HOOVER SLOVACEK LLP

By: /s/ Edward L. Rothberg

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ATTORNEYS FOR DEFENDANT,  
CAPROCK COMMUNICATIONS, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Defendant, Caprock Communications, Inc.'s Reply to GE's Cross-claim was served on August 27, 2010 by the United States Bankruptcy Court's electronic noticing system and by first class mail to counsel for General Electric Capital Corporation:

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/s/ Edward L. Rothberg  
EDWARD L. ROTHBERG